

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

April Scarlott	§
	§
v.	§ CASE NUMBER: 4:10cv4865
	§ District Judge: Lynn N Hughes
Nissan North America, Inc	§ Court Reporter(s): A Manley
	§

NOTICE OF THE FILING OF AN AMENDED APPEAL

In connection with this appeal, instrument # 157, filed by April Scarlott, a copy of the notice of appeal, the order being appealed and the docket sheet are attached.

In regard to this appeal:

- The Court of Appeal \$455.00 filing and docketing fees have been paid .

David Bradley, Clerk

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

April Scarlott

§

versus

§

§

Civil Action 4:10-cv-04865

§

Nissan North America, Inc., *et al.*

§

SUPPLEMENTAL NOTICE OF APPEAL

On September 11, 2013, April Scarlott and her attorneys filed a notice to take an appeal from:

1. This Court's May 17, 2011 order, Document 78;
2. This Court's November 23, 2011 order, Document 105;
3. This Court's February 24, 2012 order, Document 107;;
4. This Court's April 3, 2013 order, Document 113;
5. This Court's August 28, 2013 order, Document 119;
6. This Court's August 28, 2013 final judgment, Document 120.

Document 124.

On September 18, 2013, the United States Court of Appeals for the Fifth Circuit noted: "We are holding the appeal in abeyance until the district court rules [on a pending motion]." Fifth Circuit Document 00512377510.

Ms. Scarlott, Weisberg & Meyers, LLC, and Noah D. Radbil, now hereby give notice, in the above-named case, that they appeal to the United States Circuit Court of Appeals for the Fifth Circuit, from this Court's October 10, 2013 order, Document 144, attached as Exhibit A.

And to the extent necessary, they incorporate their original notice of appeal—filed on September 11, 2013—by reference.

Respectfully submitted,

/s/Aaron D. Radbil
Aaron D. Radbil
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5025 N. Central Ave., #656
Phoenix, AZ 85012
Telephone: 786.245.8622
Fax: 866.577.0963
aradbil@attorneysforconsumers.com

CERTIFICATE OF SERVICE

I certify that on November 7, 2013, the foregoing was filed through the Court's EM/ECF system and was served upon all attorneys to be noticed.

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By: s/ Tremain Davis
Tremain Davis

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

April Scarlott,

Plaintiff,

versus

Nissan North America, Inc., et al.,

Defendants.

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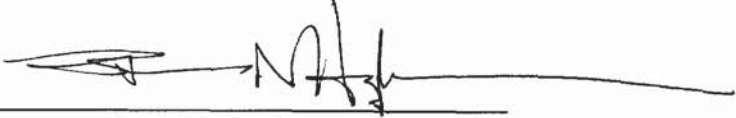
Civil Action H-10-4865

Order on Attorneys' Fees and Costs

1. Under the inherent power of the court and 28 U.S.C. § 1927:
 - A. Nissan North America, Inc., recovers \$180,000 in attorneys' fees and costs jointly and severally from Noah Radbil and Weisberg Myers, LLC.
 - B. Hurricane Auto Care & Accessories Inc. takes \$16,265 in attorneys' fees and costs jointly and severally from Noah Radbil and Weisberg Myers LLC.
- 2.. The registry of the court will disburse the \$16,500 plus interest that was deposited for the benefit of April Scarlott to Nissan North America, Inc., and Hurricane Auto Care & Accessories Inc. – to be applied pro rata to each company's legal awards.
3. April Scarlott is only responsible for the portion of the money held in the registry of the court for her benefit.

Signed on October 10, 2013, at Houston, Texas.




Lynn N. Hughes
United States District Judge

APPEAL

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:10-cv-04865
Internal Use Only**

Scarlott v. Nissan North America, Inc. et al
Assigned to: Judge Lynn N. Hughes
Case in other court: 281st District Court, Harris County,
Texas, 09-67488
Cause: 15:2301 Magnuson-Moss Warranty Act

Date Filed: 12/06/2010
Date Terminated: 08/28/2013
Jury Demand: Plaintiff
Nature of Suit: 350 Motor Vehicle
Jurisdiction: Federal Question

Plaintiff**April Scarlott**represented by **Aaron David Radbil**

Weisberg & Meyers, LLC
5025 N Central Ave
Ste 602
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ATTORNEY TO BE NOTICED

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dkurz@attorneysforconsumers.com
TERMINATED: 11/01/2011
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defendant**Nissan North America, Inc.**represented by **Giovanna Tarantino Bingham**

Hartline Dacus et al

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*ATTORNEY TO BE NOTICED***Jeffrey S Patterson**

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*ATTORNEY TO BE NOTICED***Defendant****Nissan Motor Acceptance Corp***TERMINATED: 05/18/2011*represented by **Christopher Michael Boeck**

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Ste 2200

Dallas, TX 75201

214-740-8482

Email: cboeck@lockelord.com

Paul F Schuster

Locke Lord LLC

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Email: pschuster@lockelord.com

Defendant**Clear Lake Nissan***TERMINATED: 05/18/2011*represented by **Daniel C Pappas**

Attorney at Law

4615 S W Fwy

Suite 600

Houston, TX 77027

713-621-5222

Fax: 713-621-7094

Email: dcp@dcplaw.net

*TERMINATED: 03/11/2011**LEAD ATTORNEY***Douglas Martin Walla**

Andrew Williams and Assoc

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Ste 550

Bellaire, TX 77401

713-840-7321

*LEAD ATTORNEY***Mark Christopher James**Martin, Disiere, Jefferson & Wisdom,
LLP

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Defendant**Hurricane Glass****Defendant****Hurricane Auto Care & Accessories
Inc**represented by **Hurricane Auto Care & Accessories
Inc**

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Houston, TX 77034

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PRO SE

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Attorney at Law

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Fax: 713-728-6366

Email: lwa@lesliewmadams.com

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Nissan North America, Inc.

represented by **Giovanna Tarantino Bingham**
 (See above for address)
ATTORNEY TO BE NOTICED

Jeffrey S Patterson
 (See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

April Scarlott

represented by **Aaron David Radbil**
 (See above for address)
ATTORNEY TO BE NOTICED


Dennis R Kurz
 (See above for address)
TERMINATED: 11/01/2011
ATTORNEY TO BE NOTICED

Noah Daniel Radbil
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/06/2010	<u>1</u>	NOTICE OF REMOVAL from 281st District Court of Harris County, Texas, case number 2009-67488 (Filing fee \$ 350 receipt number 0541-7360027) filed by Nissan Motor Acceptance Corporation. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R)(Boeck, Christopher) (Entered: 12/06/2010)
12/06/2010	<u>2</u>	CORPORATE DISCLOSURE STATEMENT by Nissan Motor Acceptance Corporation identifying Nissan North America, Inc.; Nissan Motor Co., Ltd. as Corporate Parent, filed.(Boeck, Christopher) (Entered: 12/06/2010)
12/08/2010	<u>3</u>	NOTICE in a Removed or Transferred Case.(Signed by Judge Lynn N. Hughes) Parties notified.(dclark,) (Entered: 12/08/2010)
12/13/2010	<u>4</u>	MOTION to Compel Second Request for Production by Nissan North America, Inc., filed. Motion Docket Date 1/3/2011. (Attachments: # <u>1</u> Exhibit Plaintiff's Expert Disclosures, # <u>2</u> Exhibit Weaver's December

		Report, # 3 Exhibit Weaver's November Report, # 4 Exhibit Deposition Excerpts, # 5 Exhibit Plaintiff's Resp to 2nd RFP, # 6 Proposed Order) (Patterson, Jeffrey) (Entered: 12/13/2010)
12/14/2010	5	Order: Initial Conference set for 1/5/2011 at 09:30 AM in Room 11122 before Judge Lynn N. Hughes.(Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 12/14/2010)
12/14/2010	6	ORDER denying 4 Motion to Compel. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 12/14/2010)
12/16/2010	7	NOTICE of Initial Disclosures by Nissan North America, Inc., filed. (Patterson, Jeffrey) (Entered: 12/16/2010)
12/16/2010	8	CORPORATE DISCLOSURE STATEMENT by Nissan North America, Inc. identifying Nissan Motor Co., Ltd. as Corporate Parent, filed.(Patterson, Jeffrey) (Entered: 12/16/2010)
12/22/2010	9	NOTICE of Appearance by Noah D. Radbil on behalf of April Scarlott, filed. (Radbil, Noah) (Entered: 12/22/2010)
12/22/2010	10	MOTION for Aaron D. Radbil to Appear Pro Hac Vice by April Scarlott, filed. Motion Docket Date 1/12/2011. (Kurz, Dennis) (Entered: 12/22/2010)
12/23/2010	11	ORDER granting 10 Motion to Appear Pro Hac Vice. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 12/23/2010)
12/29/2010	12	NOTICE of Appearance by Daniel C. Pappas on behalf of Clear Lake Nissan, filed. (Pappas, Daniel) (Entered: 12/29/2010)
12/30/2010	13	CORPORATE DISCLOSURE STATEMENT by Clear Lake Nissan, filed.(Pappas, Daniel) (Entered: 12/30/2010)
01/04/2011	14	Unopposed MOTION for Leave to File Amended Complaint by April Scarlott, filed. Motion Docket Date 1/25/2011. (Attachments: # 1 Affidavit Joy D. Carter, # 2 Proposed Order)(Radbil, Noah) (Entered: 01/04/2011)
01/05/2011	15	CONFERENCE MEMORANDUM: Initial Conference held. Order to be entered. Appearances: Daniel C Pappas, Christopher Michael Boeck, Jeffrey S Patterson, Noah Daniel Radbil. Ct Reporter: Dye. Internal review set for 1/10/2011.(Signed by Judge Lynn N. Hughes) Parties notified.(jegonzalez,) (Entered: 01/06/2011)
01/05/2011	16	SCHEDULING ORDER. (Signed by Judge Lynn N. Hughes) Parties notified.(jegonzalez,) (Entered: 01/06/2011)
01/06/2011	17	BRIEF of two pages re: 16 Scheduling Order by April Scarlott, filed. (Radbil, Noah) (Entered: 01/06/2011)
01/06/2011	18	EXHIBITS re: 16 Scheduling Order by April Scarlott, filed.(Radbil, Noah) (Entered: 01/06/2011)
01/07/2011	19	INITIAL DISCLOSURES by Clear Lake Nissan, filed.(Pappas, Daniel)

		(Entered: 01/07/2011)
01/10/2011	<u>20</u>	STATEMENT <i>OF CLAIMS</i> re: <u>16</u> Scheduling Order by April Scarlott, filed.(Radbil, Noah) (Entered: 01/10/2011)
01/11/2011	<u>21</u>	ORDER. By noon on 1/13/2011, Scarlott will tell the court the mileage on the car. Internal review set for 1/17/2011. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 01/12/2011)
01/13/2011	<u>22</u>	STATEMENT <i>of Vehicle Mileage</i> by April Scarlott, filed.(Radbil, Noah) (Entered: 01/13/2011)
01/18/2011	<u>23</u>	ORDER granting <u>14</u> Motion for Leave to File. April Scarlott may amend her complaint to correctly identify Hurricane Auto Care & Accessories, Inc., as a defendant - a defendant whose name was on the slip from the dealer that she used to have the correct mirror installed while she waited. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 01/18/2011)
01/20/2011	<u>24</u>	Second AMENDED Complaint with Jury Demand against Clear Lake Nissan, Hurricane Glass, Nissan Motor Acceptance Corporation, Nissan North America, Inc. filed by April Scarlott. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K)(Radbil, Noah) (Entered: 01/20/2011)
01/21/2011	<u>25</u>	Order: Pretrial Conference set for 1/31/2011 at 10:00 AM in Room 11122 before Judge Lynn N. Hughes. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 01/21/2011)
01/31/2011	<u>26</u>	CONFERENCE MEMORANDUM: Pretrial conference held. Appearances: Noah Radbil, Jeffrey Patterson, Christopher Boeck, Daniel Pappas. Ct Reporter: S. Carlisle. Order to be entered. Internal review set for 2/21/2011. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 01/31/2011)
01/31/2011	<u>27</u>	SCHEDULING ORDER. Nissan North America will do these things: designate their expert by noon on 2/04/2011, file their expert's report by 2/11/2011, depose their expert in Houston by 2/18/2011. These things may be done by 2/11/2011: Nissan North America may amend its counterclaim, defendants may answer the second amended complaint. Scarlott will produce all papers from the lemon law proceeding, including from the government and defendants. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 01/31/2011)
02/02/2011	<u>28</u>	ANSWER to <u>24</u> Amended Complaint/Counterclaim/Crossclaim etc., by Nissan North America, Inc., filed.(Patterson, Jeffrey) (Entered: 02/02/2011)
02/02/2011	<u>29</u>	Amended COUNTERCLAIM against April Scarlott filed by Nissan North America, Inc..(Patterson, Jeffrey) (Entered: 02/02/2011)
02/04/2011	<u>30</u>	DESIGNATION OF EXPERT WITNESS LIST by Nissan North America, Inc., filed.(Patterson, Jeffrey) (Entered: 02/04/2011)

02/07/2011		Summons Issued as to Hurricane Auto Care & Accessories Inc, filed. (kgilyard,) (Entered: 02/07/2011)
02/10/2011	31	ANSWER to 24 Amended Complaint/Counterclaim/Crossclaim etc., by Nissan Motor Acceptance Corp, filed.(Boeck, Christopher) (Entered: 02/10/2011)
02/10/2011	32	ANSWER to 24 Amended Complaint/Counterclaim/Crossclaim etc., by Clear Lake Nissan, filed.(Pappas, Daniel) (Entered: 02/10/2011)
02/11/2011	33	Order: Pretrial Conference set for 3/14/2011 at 10:00 AM in Room 11122 before Judge Lynn N. Hughes. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 02/11/2011)
02/11/2011	34	Expert Report of Ryan Schooley by Nissan North America, Inc., filed. (Patterson, Jeffrey) (Entered: 02/11/2011)
02/16/2011	35	SUPPLEMENT to 19 Initial Disclosures by Clear Lake Nissan, filed. (Pappas, Daniel) (Entered: 02/16/2011)
02/17/2011	36	NOTICE [<i>Supplemental Initial Disclosures</i>] by Nissan North America, Inc., filed. (Bingham, Giovanna) (Entered: 02/17/2011)
02/18/2011	37	NOTICE of Firm Name Change and New E-Mail Address by Nissan North America, Inc., filed. (Patterson, Jeffrey) (Entered: 02/18/2011)
02/22/2011	38	ANSWER to 29 Counterclaim with Jury Demand by April Scarlott, filed.(Radbil, Noah) (Entered: 02/22/2011)
03/04/2011	39	RETURN of Service of SUMMONS Executed as to Hurricane Auto Care & Accessories Inc served on 2/25/2011, answer due 3/18/2011, filed.(Kurz, Dennis) (Entered: 03/04/2011)
03/07/2011	40	MOTION to Exclude Testimony of Stephen Weaver by Clear Lake Nissan, filed. Motion Docket Date 3/28/2011. (Pappas, Daniel) (Entered: 03/07/2011)
03/08/2011	41	MOTION to Exclude Testimony of Ryan Schooley by April Scarlott, filed. Motion Docket Date 3/29/2011. (Attachments: # 1 Exhibit Deposition Testimony of Mr. Schooley, # 2 Exhibit, # 3 Exhibit) (Radbil, Noah) (Entered: 03/08/2011)
03/09/2011	42	MOTION to Exclude Expert Opinions of Stephen Weaver by Nissan North America, Inc., filed. Motion Docket Date 3/30/2011. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H)(Patterson, Jeffrey) (Entered: 03/09/2011)
03/10/2011	43	Unopposed MOTION to Substitute Attorney Douglas M. Walla in place of Daniel C. Pappas by Clear Lake Nissan, filed. Motion Docket Date 3/31/2011. (Attachments: # 1 Proposed Order)(Walla, Douglas) (Entered: 03/10/2011)
03/11/2011		(Court only) ***Attorney Mark Christopher James for Clear Lake Nissan added. (chorace) (Entered: 03/11/2011)

03/11/2011	44	ORDER to Substitute Counsel.(Signed by Judge Lynn N. Hughes) Parties notified.(chorace) (Entered: 03/11/2011)
03/14/2011	45	CONFERENCE MEMORANDUM: Pretrial conference held. Appearances: Noah Radbil, Douglas Walla, Dan Pappas, Christopher Boeck, Jeffrey Patterson. Ct Reporter: S. Carlisle. Order to be entered. Pretrial Conference set for 3/30/2011 at 10:00 AM in Room 11122 before Judge Lynn N. Hughes. Internal review set for 4/4/2011. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 03/15/2011)
03/14/2011	46	Scheduling ORDER. Nissan North America will e-mail the warranty in Word Perfect format to the court and the parties. By 3/23/2011, Hurricane Auto Care & Accessories will produce documents it has about Scarlott, including tertiary documents such as claims and credits. Defendants will move for summary judgment by 3/25/2011. Scarlott will respond by 4/01/2011. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 03/15/2011)
03/23/2011	47	NOTICE OF UNAVAILABILITY FOR ATTORNEY NOAH RADBIL by April Scarlott, filed. (Kurz, Dennis) (Entered: 03/23/2011)
03/24/2011	48	RESPONSE to 47 Notice (Other) <i>Unavailability of Noah Radbil</i> , filed by Nissan North America, Inc.. (Patterson, Jeffrey) (Entered: 03/24/2011)
03/24/2011	49	ORDER Denying Continuance. April Scarlott has three attorneys. Because only one of her attorneys is sick, her motion to reschedule the conference set for 3/30/2011, is denied. 47 (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 03/24/2011)
03/25/2011	50	MOTION for Summary Judgment by Nissan North America, Inc., filed. Motion Docket Date 4/15/2011. (Attachments: # 1 Continuation Memorandum in Support of Motion for Summary Judgment, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Proposed Order)(Patterson, Jeffrey) (Entered: 03/25/2011)
03/25/2011	51	MOTION for Summary Judgment by Clear Lake Nissan, filed. Motion Docket Date 4/15/2011. (Attachments: # 1 Exhibit Ex A, # 2 Exhibit Ex B, # 3 Exhibit Ex C, # 4 Exhibit Ex D, # 5 Exhibit Ex E, # 6 Exhibit Ex F, # 7 Exhibit Ex G, # 8 Exhibit Ex H, # 9 Exhibit Ex I, # 10 Proposed Order)(Walla, Douglas) (Entered: 03/25/2011)
03/29/2011	52	RESPONSE in Opposition to 41 MOTION to Exclude Testimony of Ryan Schooley, filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Proposed Order)(Patterson, Jeffrey) (Entered: 03/29/2011)
03/30/2011	53	RESPONSE in Opposition to 42 MOTION to Exclude Expert Opinions of Stephen Weaver, 40 MOTION to Exclude Testimony of Stephen Weaver, filed by April Scarlott. (Attachments: # 1 Exhibit A - Weaver


		CV, # 2 Exhibit B - Weaver Deposition Excerpts, # 3 Proposed Order) (Radbil, Noah) (Entered: 03/30/2011)
03/30/2011	54	CONFERENCE MEMORANDUM: Pretrial conference held. Appearances: Aaron Radbil, Jeffrey Patterson, Christopher Boeck, Douglas Walla, Srinivas Gogineni. Ct Reporter: A. Manley. Order to be entered. Internal review set for 5/16/2011. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 04/04/2011)
03/30/2011	55	Scheduling ORDER. The parties may depose Hurricane Auto Care & Accessories by 4/17/2011. Nissan Motor Acceptance may depose Scarlott by 4/17/2011. The defendants will move for summary judgment by 4/27/2011. Scarlott will respond by 5/11/2011. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 04/04/2011)
03/30/2011	56	ANSWER in letter form to Complaint by Srinivas Gogineni with Hurricane Auto Care & Accessories Inc, filed.(ghassan,) (Entered: 04/04/2011)
04/06/2011	57	First AMENDED ANSWER to 24 Amended Complaint/Counterclaim/Crossclaim etc., by Hurricane Auto Care & Accessories Inc, filed. (Attachments: # 1 Civil Cover Sheet Cover Letter)(Adams, Leslie) (Entered: 04/06/2011)
04/06/2011	58	CORPORATE DISCLOSURE STATEMENT by Hurricane Auto Care & Accessories Inc, filed. (Attachments: # 1 Civil Cover Sheet Cover Letter)(Adams, Leslie) (Entered: 04/06/2011)
04/06/2011	59	Amended CORPORATE DISCLOSURE STATEMENT by Hurricane Auto Care & Accessories Inc, filed.(Adams, Leslie) (Entered: 04/06/2011)
04/21/2011	60	(Per Attorney wrong imaged attached) MOTION to Deposit Funds by Nissan North America, Inc., filed. Motion Docket Date 5/12/2011. (Attachments: # 1 Proposed Order, # 2 Exhibit)(Bingham, Giovanna) Modified on 4/22/2011 (mmapps,). (Entered: 04/21/2011)
04/21/2011	61	MOTION to Deposit Funds by Nissan North America, Inc., filed. Motion Docket Date 5/12/2011. (Attachments: # 1 Proposed Order, # 2 Exhibit)(Bingham, Giovanna) (Additional attachment(s) added on 4/22/2011: # 3 Proposed Order Reviewed by Finance) (knguyen,). (Entered: 04/21/2011)
04/22/2011	62	ORDER to Deposit Funds granting 61 Motion to Deposit Funds. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 04/22/2011)
04/25/2011		(Court only) Finance flag cleared. (knguyen,) (Entered: 04/25/2011)
04/27/2011	63	Amended MOTION for Summary Judgment by Nissan North America, Inc., filed. Motion Docket Date 5/18/2011. (Attachments: # 1 Brief in Support, # 2 Exhibit Gore Depo, # 3 Exhibit Clear Lake Records, # 4

		Exhibit Scarlott Depo I, # 5 Exhibit Scarlott Depo II, # 6 Exhibit Sam Depo, # 7 Exhibit Install Instructions, # 8 Exhibit NNA Warranty, # 9 Exhibit Correspondence, # 10 Exhibit Email, # 11 Exhibit RFA, # 12 Exhibit Security Plus, # 13 Exhibit Maintenance Plus, # 14 Exhibit Weaver Depo, # 15 Exhibit Glenn Aff, # 16 Proposed Order)(Patterson, Jeffrey) (Entered: 04/27/2011)
04/28/2011	64	MOTION for Extension of Time To File Motion for Summary Judgment by Hurricane Auto Care & Accessories Inc, filed. Motion Docket Date 5/19/2011. (Attachments: # 1 Proposed Order Proposed Order, # 2 Civil Cover Sheet Cover Letter)(Adams, Leslie) (Entered: 04/28/2011)
04/28/2011	65	MOTION for Summary Judgment by Hurricane Auto Care & Accessories Inc, filed. Motion Docket Date 5/19/2011. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D, # 5 Exhibit Exhibit E, # 6 Civil Cover Sheet Cover Letter)(Adams, Leslie) (Entered: 04/28/2011)
04/28/2011	66	PROPOSED ORDER re: 65 MOTION for Summary Judgment, filed. (Adams, Leslie) (Entered: 04/28/2011)
04/29/2011	67	ORDER Granting Extension granting 64 Motion for Extension of Time. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 05/02/2011)
05/02/2011	68	CERTIFICATE OF SERVICE by April Scarlott, filed.(Kurz, Dennis) (Entered: 05/02/2011)
05/06/2011	69	Agreed MOTION for Protective Order(Motion Docket Date 5/27/2011.), Unopposed MOTION for Entry of Order re: Protective Order by Nissan North America, Inc., filed. (Attachments: # 1 Motion for Entry)(Patterson, Jeffrey) (Entered: 05/06/2011)
05/11/2011	70	RESPONSE in Opposition to 63 Amended MOTION for Summary Judgment, filed by April Scarlott. (Kurz, Dennis) (Entered: 05/11/2011)
05/11/2011	71	DECLARATION of Dennis Kurz re: 70 Response in Opposition to Motion, filed. (Attachments: # 1 Exhibit A - Motor Vehicle Retail Sales Contract, # 2 Exhibit B - Buyers Order and Invoice, # 3 Exhibit C - Security+Plus, # 4 Exhibit D - Barnes Depo, # 5 Exhibit E - Gore Depo, # 6 Exhibit F - Maintenance+Plus, # 7 Exhibit G - Murano Service Guide, # 8 Exhibit H - Scarlott Depo, # 9 Exhibit I - Nissan's Vehicle Claims History, # 10 Exhibit J - Repair Order dated Sept 16, 2009, # 11 Exhibit K - Repair Order dated Sept 28, 2009, # 12 Exhibit L - Repair Order dated November 25, 2009, # 13 Exhibit M - Expert Report, # 14 Exhibit N - Weaver Depo, # 15 Exhibit O - Correspondence re Assurances Manual, # 16 Exhibit P - Schooley Depo, # 17 Exhibit Q - Nov 11, 2004 TSB, # 18 Exhibit R - April 6, 2009 TSB, # 19 Exhibit S - March 2, 2010 Letter from Patterson, # 20 Exhibit T - Nissan's Response to Interrogatory 21, # 21 Exhibit U - Nissan's Respose to RFP 4, # 22 Exhibit V - Declaration of Aaron D. Radbil, # 23 Exhibit W - Gogineni Depo, # 24 Exhibit X - Homelink






		Mirror Specs, # 25 Exhibit Y - January 28, 2009 Letter to Clear Lake) (Kurz, Dennis) (Entered: 05/11/2011)
05/11/2011	72	RESPONSE in Opposition to 65 MOTION for Summary Judgment, filed by April Scarlott. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Affidavit Declaration of Noah D. Radbil) (Radbil, Noah) (Entered: 05/11/2011)
05/11/2011		Deposit made into the Registry of the Court by Clear Lake Nissan and Zurich American Insurance Company in the amount of \$16,500.00, receipt number HOU012624 re: 62 Order on Motion to Deposit Funds, filed. (knguyen,) (Entered: 05/17/2011)
05/13/2011	73	MOTION for Leave to File Reply to Plaintiff's Response in Opposition to First Amended Motion for Summary Judgment by Nissan North America, Inc., filed. Motion Docket Date 6/3/2011. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Proposed Order)(Patterson, Jeffrey) (Entered: 05/13/2011)
05/13/2011	76	ORDER Protecting Confidentiality terminating 69 . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 05/17/2011)
05/16/2011	74	MOTION to Strike <i>Errata Sheet of NNA's Expert, Ryan Schooley</i> , by April Scarlott, filed. Motion Docket Date 6/6/2011. (Attachments: # 1 Exhibit Errata Sheet of Ryan Schooley, # 2 Exhibit Email Correspondence)(Radbil, Noah) (Entered: 05/16/2011)
05/16/2011	75	PROPOSED ORDER re: 74 MOTION to Strike <i>Errata Sheet of NNA's Expert, Ryan Schooley</i> ,, filed.(Radbil, Noah) (Entered: 05/16/2011)
05/17/2011	77	Joint MOTION to Dismiss <i>Claims against Nissan Motor Acceptance Corp. and Clear Lake Nissan</i> by April Scarlott, filed. Motion Docket Date 6/7/2011. (Attachments: # 1 Proposed Order)(Radbil, Noah) (Entered: 05/17/2011)
05/17/2011	78	ORDER on Leave granting 73 . Nissan North America may reply to Scarlott's response by 5/27/2011. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 05/19/2011)
05/18/2011	79	Partial DISMISSAL granting 77 . On the motion of the parties, Nissan Motor Acceptance Corporation and Clear Lake Nissan are dismissed with prejudice. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 05/19/2011)
05/18/2011		(Court only) *** Party Clear Lake Nissan and Nissan Motor Acceptance Corp terminated. (ghassan,) (Entered: 05/19/2011)
05/23/2011	80	REPLY to 72 Response in Opposition to Motion <i>for Summary Judgment</i> , filed by Hurricane Auto Care & Accessories Inc. (Attachments: # 1 Cover letter)(Adams, Leslie) (Entered: 05/23/2011)
05/27/2011	81	REPLY to Response to 63 Amended MOTION for Summary Judgment, filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit Exhibit A- Affidavit, # 2 Exhibit Exhibit B- FTC Opinion, # 3




		Exhibit Exhibit C- Case Law, # 4 Exhibit Exhibit D- Scarlott Depo) (Patterson, Jeffrey) (Entered: 05/27/2011)
06/06/2011	82	RESPONSE to 74 MOTION to Strike <i>Errata Sheet of NNA's Expert, Ryan Schooley</i> , filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit Ex. A, # 2 Exhibit Ex. B, # 3 Exhibit Ex. C, # 4 Exhibit Ex. D, # 5 Proposed Order)(Patterson, Jeffrey) (Entered: 06/06/2011)
06/07/2011	83	MOTION to Strike <i>NNA's New Summary Judgment Evidence Submitted In Reply</i> by April Scarlott, filed. Motion Docket Date 6/28/2011. (Radbil, Noah) (Entered: 06/07/2011)
06/08/2011	84	MOTION to Strike <i>Impertinent and Scandalous Material From Reply Brief of NNA</i> by April Scarlott, filed. Motion Docket Date 6/29/2011. (Radbil, Noah) (Entered: 06/08/2011)
06/20/2011	85	NOTICE of Service by Nissan North America, Inc., filed. (Patterson, Jeffrey) (Entered: 06/20/2011)
06/27/2011	86	NOTICE <i>Vacation letter</i> by Nissan North America, Inc., filed. (Patterson, Jeffrey) (Entered: 06/27/2011)
06/28/2011	87	RESPONSE to 83 MOTION to Strike <i>NNA's New Summary Judgment Evidence Submitted In Reply</i> filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit, # 2 Proposed Order)(Patterson, Jeffrey) (Entered: 06/28/2011)
06/29/2011	88	RESPONSE in Opposition to 84 MOTION to Strike <i>Impertinent and Scandalous Material From Reply Brief of NNA</i> , filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Exhibit, # 8 Exhibit, # 9 Exhibit, # 10 Exhibit, # 11 Proposed Order)(Patterson, Jeffrey) (Entered: 06/29/2011)
07/11/2011	89	NOTICE <i>Revised Vacation Letter</i> by Nissan North America, Inc., filed. (Patterson, Jeffrey) (Entered: 07/11/2011)
07/15/2011	90	MOTION for Evidentiary Hearing by April Scarlott, filed. Motion Docket Date 8/5/2011. (Attachments: # 1 Exhibit A)(Radbil, Noah) (Entered: 07/15/2011)
07/27/2011	91	RESPONSE to 90 MOTION for Evidentiary Hearing filed by Nissan North America, Inc.. (Attachments: # 1 Proposed Order)(Patterson, Jeffrey) (Entered: 07/27/2011)
08/02/2011	92	MOTION to Compel Nissan North America to Produce its Warranty Manual by April Scarlott, filed. Motion Docket Date 8/23/2011. (Attachments: # 1 Exhibit A)(Radbil, Noah) (Entered: 08/02/2011)
08/02/2011	93	Sealed Event, filed. (Entered: 08/02/2011)
08/23/2011	94	RESPONSE to 92 MOTION to Compel Nissan North America to Produce its Warranty Manual filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit Affidavit of Giovanna Tarantino Bingham, #



		2 Exhibit Depo excerpts Gore depo, # 3 Exhibit Depo excerpts Gogineni depo, # 4 Exhibit Depo excerpts Scarlott depo, # 5 Exhibit Affidavit of Henry Yu, # 6 Proposed Order Proposed Order)(Patterson, Jeffrey) (Entered: 08/23/2011)
08/23/2011	95	Sealed Event, filed. (Entered: 08/23/2011)
09/02/2011	96	NOTICE of Plaintiff's Request for Hearing on Summary Judgment and Related Motions by April Scarlott, filed. (Radbil, Noah) (Entered: 09/02/2011)
09/09/2011	97	RESPONSE to 96 Notice (Other) Plaintiff's Request for Oral Hearing on Summary Judgment and Related Motions, filed by Nissan North America, Inc.. (Patterson, Jeffrey) (Entered: 09/09/2011)
09/12/2011	98	MOTION for Leave to File Reply to NNA's Responnse to Plaintiff's Motion to Compel by April Scarlott, filed. Motion Docket Date 10/3/2011. (Attachments: # 1 Exhibit)(Radbil, Noah) (Entered: 09/12/2011)
09/15/2011	99	RESPONSE to 98 MOTION for Leave to File Reply to NNA's Responnse to Plaintiff's Motion to Compel filed by Nissan North America, Inc.. (Attachments: # 1 Proposed Order Proposed Order) (Patterson, Jeffrey) (Entered: 09/15/2011)
10/21/2011	100	ORDER TO SHOW CAUSE. Show Cause Hearing set for 11/1/2011 at 10:00 AM in Courtroom 11C before Judge Lynn N. Hughes. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 10/21/2011)
10/31/2011	101	MOTION for Sanctions by Nissan North America, Inc., filed. Motion Docket Date 11/21/2011. (Attachments: # 1 Exhibit Excerpts of Gore Depo, # 2 Exhibit Business Records Affidavit, # 3 Exhibit Excerpts of Gogineni Depo, # 4 Exhibit Excerpts of Scarlott Depo, # 5 Exhibit Correspondence, # 6 Exhibit Correspondence, # 7 Exhibit Installation Instructions, # 8 Exhibit Excerpts of 1st Scarlott Depo, # 9 Exhibit Maintenance Plan, # 10 Exhibit Security Plan, # 11 Exhibit NNA Designation of Experts, # 12 Exhibit NNA's Objections, # 13 Exhibit Affidavit of Gore, # 14 Exhibit Excerpts of Weaver Depo, # 15 Exhibit Aff of Henry Yu, # 16 Exhibit Aff of Henry Yu, # 17 Exhibit Excerpts of Schooley Depo, # 18 Exhibit Warranty Book, # 19 Proposed Order) (Patterson, Jeffrey) (Entered: 10/31/2011)
11/01/2011	102	Minute Entry for Hearing held before Judge Lynn N. Hughes on 11/1/2011. Show cause for Dennis Kurz on why he should not be struck from the cases in this court. Order to be entered. Internal review set for 11/29/2011. Appearances: Dennis Kurz, Noah Radbil, Jeffrey Patterson. (Court Reporter: A. Manley) (ghassan,) (Entered: 11/02/2011)
11/01/2011	103	ORDER. Dennis R. Kurz may not appear as counsel for April Scarlott. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 11/02/2011)


11/01/2011		(Court only) *** Attorney Dennis R Kurz terminated. (ghassan,) (Entered: 11/02/2011)
11/01/2011		(Court only) ***Motion(s) terminated: 50 ; Amended at 63 . (ghassan,) (Entered: 11/02/2011)
11/21/2011	104	RESPONSE in Opposition to 101 MOTION for Sanctions, filed by April Scarlott. (Radbil, Noah) (Entered: 11/21/2011)
11/23/2011	105	Management ORDER. Scarlott's motion for hearing on the motions for summary judgment and the motions to strike is denied 96 . Scarlott's motion for leave to reply to Nissan's response to her motion to compel is denied 98 . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 11/23/2011)
11/30/2011	106	MOTION to Supplement as to 101 MOTION for Sanctions by Nissan North America, Inc., filed. Motion Docket Date 12/21/2011. (Attachments: # 1 Exhibit, # 2 Proposed Order)(Bingham, Giovanna) (Entered: 11/30/2011)
02/24/2012	107	ORDER. Nissan North America may supplement its motion for sanctions 106 . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 02/27/2012)
03/14/2012	108	Opposed MOTION for Leave to File Supplemental Summary Judgment Evidence by April Scarlott, filed. Motion Docket Date 4/4/2012. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Radbil, Noah) (Entered: 03/14/2012)
04/04/2012	109	RESPONSE in Opposition to 108 Opposed MOTION for Leave to File Supplemental Summary Judgment Evidence, filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit, # 6 Exhibit, # 7 Proposed Order)(Bingham, Giovanna) (Entered: 04/04/2012)
04/09/2012	110	Opposed REPLY in Support of 108 Opposed MOTION for Leave to File Supplemental Summary Judgment Evidence, filed by April Scarlott. (Radbil, Noah) (Entered: 04/09/2012)
08/28/2012	111	NOTICE of Designation of Noah D. Radbil as Attorney in Charge for Plaintiff by April Scarlott, filed. (Radbil, Noah) (Entered: 08/28/2012)
12/18/2012		***Set/Reset Deadlines: Internal review set for 12/31/2012. (ghassan,) (Entered: 12/18/2012)
02/11/2013		(Court only) ***Motion(s) terminated: 60 . (ghassan,) (Entered: 02/11/2013)
03/08/2013		***Set/Reset Deadlines: Internal review set for 4/22/2013. (ghassan,) (Entered: 03/08/2013)
03/15/2013	112	Letter from Paul Schuster re: removal from email distribution list, filed. (rsmith) (Entered: 03/19/2013)
04/03/2013	113	ORDER Denying Leave to Supplement. Scarlott's motion for leave to

		file supplemental evidence is denied 108 . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 04/03/2013)
04/04/2013	114	<i>Letter requesting counsel for Clear Lake Nissan be removed from email distribution list</i> by Clear Lake Nissan, filed.(Walla, Douglas) (Entered: 04/04/2013)
05/09/2013	115	MOTION to Remand by April Scarlott, filed. Motion Docket Date 5/30/2013. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Proposed Order)(Radbil, Noah) (Entered: 05/09/2013)
05/23/2013	116	RESPONSE to 115 MOTION to Remand filed by Nissan North America, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Proposed Order)(Patterson, Jeffrey) (Entered: 05/23/2013)
05/30/2013	117	JOINDER in 116 Response to Motion <i>for Remand</i> , filed by Hurricane Auto Care & Accessories Inc. (Attachments: # 1 Proposed Order Proposed Order Denying Plaintiff's Motion to Remand, # 2 Civil Cover Sheet Civil Cover Sheet)(Adams, Leslie) (Entered: 05/30/2013)
05/30/2013	118	REPLY in Support of 115 MOTION to Remand, filed by April Scarlott. (Radbil, Noah) (Entered: 05/30/2013)
08/28/2013	119	OPINION on Summary Judgment. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 08/28/2013)
08/28/2013	120	FINAL JUDGMENT. Scarlott takes nothing from the defendants. Case terminated on 8/28/2013. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 08/28/2013)
08/28/2013	121	Order: Hearing on Nissan's motion for sanctions 101 set for 10/10/2013 at 10:00 AM in Courtroom 11C before Judge Lynn N. Hughes. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan,) (Entered: 08/28/2013)
09/11/2013	122	BILL OF COSTS - Struck and removed by order 129 . (ghassan, 4). (Entered: 09/11/2013)
09/11/2013	123	MOTION to Amend - Struck and removed by order 129 . (ghassan, 4). (Entered: 09/11/2013)
09/11/2013	124	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit by April Scarlott (Filing fee \$ 455, receipt number 0541-12048070), filed. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Radbil, Aaron) (Entered: 09/11/2013)
09/18/2013	125	MOTION to Stay <i>HEARING SET FOR OCTOBER 10, 2013</i> by April Scarlott, filed. Motion Docket Date 10/9/2013. (Attachments: # 1 Proposed Order)(Radbil, Aaron) (Entered: 09/18/2013)
09/18/2013	126	<i>OBJECTIONS TO NNAS BILL OF COSTS AND MOTION FOR ATTORNEYS FEES</i> , filed by April Scarlott. (Radbil, Aaron) (Entered: 09/18/2013)

09/20/2013	<u>127</u>	Sealed Event, filed. (With attachments) (Entered: 09/20/2013)
09/23/2013	<u>128</u>	ORDER Denying Stay. Scarlott's motion to stay the hearing on sanctions is denied <u>125</u> . (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, 4) (Entered: 09/24/2013)
09/24/2013	<u>129</u>	ORDER. The clerk will strike and remove from the record the motion by Nissan North America to amend the judgment and the bill of costs terminating <u>127</u> striking 122 and 123 . By 9/27/2013, Nissan may move for fees and costs without the objectionable sections. (Signed by Judge Lynn N. Hughes) Parties notified. (ghassan, 4) (Entered: 09/25/2013)
09/26/2013	<u>130</u>	REQUEST for Electronic Copy of Certified Record on Appeal re: <u>124</u> Notice of Appeal, by April Scarlott, filed.(Radbil, Aaron) (Entered: 09/26/2013)
09/27/2013	<u>131</u>	BILL OF COSTS in total amount \$8196.59 by Nissan North America, Inc., filed. (Attachments: # <u>1</u> Exhibit Exhibit 1A, # <u>2</u> Exhibit Exhibit 1B)(Patterson, Jeffrey) (Entered: 09/27/2013)
09/27/2013	<u>132</u>	MOTION for Attorney Fees by Nissan North America, Inc., filed. Motion Docket Date 10/18/2013. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5A, # <u>6</u> Exhibit Exhibit 5B, # <u>7</u> Exhibit Exhibit 6, # <u>8</u> Exhibit Exhibit 7, # <u>9</u> Exhibit Exhibit 8, # <u>10</u> Exhibit Exhibit 9, # <u>11</u> Exhibit Exhibit 10, # <u>12</u> Exhibit Exhibit 11, # <u>13</u> Exhibit Exhibit 12, # <u>14</u> Proposed Order)(Patterson, Jeffrey) (Entered: 09/27/2013)
10/02/2013	 <u>133</u>	TRANSCRIPT re: In-Chambers Conference held on January 5, 2011 before Judge Lynn N. Hughes. Court Reporter/Transcriber Dye. Release of Transcript Restriction set for 12/31/2013., filed. (gdye,) (Entered: 10/02/2013)
10/02/2013	<u>134</u>	MOTION for Sanctions by Hurricane Auto Care & Accessories Inc, filed. Motion Docket Date 10/23/2013. (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Civil Cover Sheet)(Adams, Leslie) (Entered: 10/02/2013)
10/02/2013	<u>135</u>	RESPONSE in Opposition to <u>132</u> MOTION for Attorney Fees, filed by April Scarlott. (Attachments: # <u>1</u> Exhibit 1 - Affidavit of Alex Weisberg, # <u>2</u> Exhibit A - July 29, 2009 Email to Weaver, # <u>3</u> Exhibit B - Aug 2, 2009 Email from Weaver, # <u>4</u> Exhibit C - Notice Letter, # <u>5</u> Exhibit D - Pre-Litigation Settlement Emails, # <u>6</u> Exhibit E - NNA's Discovery Responses, # <u>7</u> Exhibit F - Emails Re Who is David Patin, # <u>8</u> Exhibit G - Deposition Notices, # <u>9</u> Exhibit H - NNA's Motion to Quash, # <u>10</u> Exhibit I - Plaintiff's Motion to Compel Depo, # <u>11</u> Exhibit J - NNA's motion to designate and withdrawal, # <u>12</u> Exhibit K - P's MSJ on CC and NNA's Response, # <u>13</u> Exhibit 2 - Gore Depo, # <u>14</u> Exhibit 3 - Barnes Depo, # <u>15</u> Exhibit 4 - Gogineni Depo, # <u>16</u> Exhibit 5 - Scarlott Depo, # <u>17</u> Exhibit 6 - Draft from Clear Lake to Hurricane, # <u>18</u> Exhibit 7 - BBB Reviews, # <u>19</u> Exhibit 8 - Thank You Letters, # <u>20</u> Exhibit 9 - Thank You Letters, # <u>21</u> Exhibit 10 - Thank You Letters, # <u>22</u> Exhibit 11 - Thank You Letters, # <u>23</u> Exhibit 12 - Thank You Letters, # <u>24</u> Exhibit 13 - Thank You Letters, # <u>25</u> Exhibit 14 - Thank

		You Letters, # 26 Exhibit 15 - Thank You Letters, # 27 Exhibit 16 - Thank You Letters, # 28 Exhibit 17 - Thank You Letters, # 29 Exhibit 18 - Fee Petition Chart)(Radbil, Aaron) (Entered: 10/02/2013)
10/03/2013	136	Notice of Filing of Official Transcript as to 133 Transcript. Party notified, filed. (dhansen, 4) (Entered: 10/03/2013)
10/04/2013	137	OBJECTIONS to 131 Bill of Costs , filed by April Scarlott. (Radbil, Aaron) (Entered: 10/04/2013)
10/07/2013	138	RESPONSE in Opposition to 134 MOTION for Sanctions, filed by April Scarlott. (Radbil, Aaron) (Entered: 10/07/2013)
10/07/2013	 139	TRANSCRIPT re: conference held on 3/30/11 before Judge Lynn N. Hughes. Court Reporter/Transcriber Anita Manley. Release of Transcript Restriction set for 1/6/2014., filed. (amanley,) (Entered: 10/07/2013)
10/08/2013	140	Notice of Filing of Official Transcript as to 139 Transcript. Party notified, filed. (hcarr, 4) (Entered: 10/08/2013)
10/08/2013	 141	TRANSCRIPT re: Conference held on March 14, 2011 before Judge Lynn N. Hughes. Court Reporter/Transcriber S. Carlisle. Release of Transcript Restriction set for 1/6/2014., filed. (scarlisle) (Entered: 10/08/2013)
10/08/2013	 142	TRANSCRIPT re: Conference held on January 31, 2011 before Judge Lynn N. Hughes. Court Reporter/Transcriber S. Carlisle. Release of Transcript Restriction set for 1/6/2014., filed. (scarlisle) (Entered: 10/08/2013)
10/09/2013	143	Notice of Filing of Official Transcript as to 141 Transcript, 142 Transcript. Party notified, filed. (dhansen, 4) (Entered: 10/09/2013)
10/10/2013	144	Order on Attorneys' Fees and Costs.(Signed by Judge Lynn N. Hughes) Parties notified.(glyons, 4) (Entered: 10/10/2013)
10/10/2013	145	Minute Entry for MOTION HEARING held before Judge Lynn N. Hughes on 10/10/2013. Argument heard on Motion for Attorney's Fees. Rulings orally rendered on Motion for Attorney's Fees and Costs. (Attachments: # 1 Exhibit 1) Appearances: L. W. Adams, A. Adams, J. S. Patterson, N. Radbil, A. Radbil.(Court Reporter: G. Dye)(glyons, 4) (Entered: 10/10/2013)
10/11/2013	146	NOTICE of Appearance by Marshall S. Meyers on behalf of April Scarlott, filed. (Meyers, Marshall) (Entered: 10/11/2013)
10/11/2013	147	NOTICE of Supplement to the Record by April Scarlott, filed. (Attachments: # 1 Exhibit A - 5.5.10 Email)(Meyers, Marshall) (Entered: 10/11/2013)
10/17/2013		Disbursement of Registry Funds to Nissan North America, Inc in the amount of \$15,140.74 on 10/17/2013 re: 144 Financial Order (REGARDING REGISTRY FUNDS), filed. (knguyen, 4) (Entered: 10/17/2013)

		10/17/2013)
10/17/2013		Disbursement of Registry Funds to Hurricane Auto Care & Accessories, Inc. in the amount of \$1,368.13 on 10/17/2013 re: 144 Financial Order (REGARDING REGISTRY FUNDS), filed. (knguyen, 4) (Entered: 10/17/2013)
10/18/2013	148	Notice of the Filing of an Appeal. DKT13 transcript order form attached to appellant (1 copies) to be returned. Fee status: Paid. The following Notice of Appeal and related motions are pending in the District Court: 124 Notice of Appeal,, filed.(blacy, 4) (Entered: 10/18/2013)
10/21/2013	149	REQUEST for Electronic Copy of Certified Record on Appeal re: 124 Notice of Appeal, by April Scarlott, filed.(Radbil, Aaron) (Entered: 10/21/2013)
11/01/2013	151	DKT-13 TRANSCRIPT ORDER FORM by Aaron D. Radbil. Transcript is already on file in Clerks office. Court Reporter/Transcriber: Anita G. Manley. This order form relates to the following: 139 Transcript, filed.(amwilliams, 4) (Entered: 11/04/2013)
11/01/2013	152	DKT-13 TRANSCRIPT ORDER FORM by Aaron D. Radbil. Transcript is already on file in Clerks office. Court Reporter/Transcriber: Stephanie Carlisle. This order form relates to the following: 141 Transcript, 142 Transcript, filed.(amwilliams, 4) (Entered: 11/04/2013)
11/01/2013	153	DKT-13 TRANSCRIPT ORDER FORM by Aaron D. Radbil. This is to order a transcript of the Sanctions Hearing held on 10/10/2013 before Judge Lynn N. Hughes Court Reporter/Transcriber: Gail Dye. This order form relates to the following: 150 Transcript, filed.(amwilliams, 4) (Entered: 11/04/2013)
11/04/2013	 150	TRANSCRIPT re: Hearing held on October 10, 2013 before Judge Lynn N. Hughes. Court Reporter/Transcriber Dye. Release of Transcript Restriction set for 2/3/2014., filed. (gdye,) (Entered: 11/04/2013)
11/04/2013	154	MOTION to Stay <i>and Approval of Supersedeas Bond</i> by April Scarlott, filed. Motion Docket Date 11/25/2013. (Attachments: # 1 Proposed Order Approving Bond)(Radbil, Aaron) (Entered: 11/04/2013)
11/04/2013	156	DKT-13 TRANSCRIPT ORDER FORM by Aaron D. Radbil advising Transcript is already on file in Clerks office.. This order form relates to the following: 124 Notice of Appeal,, filed.(jdav, 4) (Entered: 11/06/2013)
11/05/2013	155	Notice of Filing of Official Transcript as to 150 Transcript. Party notified, filed. (klinds, 4) (Entered: 11/05/2013)
11/07/2013		(Court only) The EROA has been submitted for certification to the Fifth Circuit Court of Appeals (USCA 13-20528), filed. (blacy, 4) (Entered: 11/07/2013)

11/07/2013		(Court only) EROA has completed certification, filed. (blacy, 4) (Entered: 11/07/2013)
11/07/2013	157	Amended NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit by April Scarlott, filed. (Attachments: # 1 Exhibit A)(Radbil, Aaron) (Entered: 11/07/2013)
11/07/2013	158	Order of USCA re: 157 Notice of Appeal - Amended, 124 Notice of Appeal, ; USCA No. 13-20528. The appeal is Dismissed as of October 31, 2013, for want of prosecution. The appellant failed to timely order transcripts and make financial arrangements with court reporter, filed. (bdaniel, 4) (Entered: 11/08/2013)
11/07/2013	159	Order of USCA re: 157 Notice of Appeal - Amended, 124 Notice of Appeal, ; USCA No. 13-20528. The court has Granted appellant's motion to reinstate the appeal, filed.(bdaniel, 4) (Entered: 11/08/2013)
11/08/2013		***Set/Reset Deadlines: Internal review set for 11/25/2013. (ghassan, 4) (Entered: 11/08/2013)
11/12/2013	160	CD Request: Response re Certified Record on Appeal re: 149 Request for Record filed by April Scarlott, filed. (smurdock, 4) (Entered: 11/12/2013)
11/13/2013	161	NOTICE of Court's Receipt of Cash Bond by April Scarlott, filed. (Radbil, Aaron) (Entered: 11/13/2013)
11/13/2013		Deposit made into the Registry of the Court by Weisberg & Meyers, LLC in the amount of \$180,160.48, receipt number HOU040862, filed. (knnguyen, 4) (Entered: 11/14/2013)